REMARKS

Applicant hereby responds to the Final Office Action mailed December 29, 2005 in relation to the above-identified patent application. In that Office Action, the Examiner rejected Claims 1, 3, 5, 8, 9, 12, 14, 18 and 20 under 35 U.S.C. §103(a) as being unpatentable over the combination of the Gaumet and Kato references. Additionally, the Examiner rejected Claims 5 and 14 under Section 103(a) as being unpatentable over the combination of the Gaumet, Kato and Hoppe references, and rejected Claims 6, 7, 15 and 16 under Section 103(a) as being unpatentable over the combination of the Gaumet, Kato and Houdeau references. Finally, the Examiner rejected Claims 4, 13 and 19 under Section 103(a) as being unpatentable over the combination of the Gaumet, Kato and Chu references.

In the prior Office Action of July 7, 2005, independent Claims 1 and 9 of the present application were rejected under 35 U.S.C. §102(b) as being anticipated by the Gaumet reference or by the Hoppe reference. Independent Claim 18 was rejected under 35 U.S.C. §103(a) a being unpatentable over the combination of the Gaumet and Kato references. In Applicant's prior Amendment of October 11, 2005, Applicant presented arguments to the effect that independent Claims 1 and 9 as amended were no longer anticipated by either the Gaumet or Hoppe references. Applicant also argued that independent Claim 18 as originally filed was not rendered obvious by the combination of the Gaumet and Kato references.

In the October 11, 2005 Amendment, Applicant also presented arguments regarding the patentability of amended independent Claims 1 and 9 over a hypothetical combination of the Gaumet and Kato references, despite no obviousness rejection based on the combination of the Gaumet and Kato references having been presented in the July 7, 2005 Office Action in relation to Claims 1 or 9. In this respect, in anticipation of the Section 103(a) rejection based on the combination of the Gaumet and Kato references now presented by the Examiner in this latest Office Action, Applicant's October 11, 2005 Amendment included the following discussion:

> "The Gaumet reference is directed to a "contactless" smart card which includes the above-described module 1. In stark contrast, the Kato reference is directed to a conventional pin grid array semiconductor device having a multiplicity of pins which protrude from a common surface of an insulating substrate in a prescribed pattern. In

2

view of the disparities in their teachings, Applicant respectfully submits that one of ordinary skill in the art considering the Gaumet reference would clearly not be motivated to combine the teachings of the Kato reference thereto for purposes of hypothetically modifying the module 1 to include a multiplicity of pins protruding from the insulating material 9 in any pattern or arrangement, *or to include an arrangement of lateral conductive elements 6 different from that shown and described in the Gaumet reference.* Thus, Applicant respectfully submits that it would only be with the application of disfavored hindsight that the module 1 described in the Gaumet reference could be modified based on the teachings of the Kato reference to include lateral conductive elements 6 arranged in a first row which circumvent the central conductive element 5, and a second row which circumvents the first row. [Emphasis added].

On page 9 of the subject Office Action, the Examiner addressed this particular argument, stating as follows:

"This argument is respectfully deemed unpersuasive because it is not necessarily maintained in the rejection that one of ordinary skill in the art considering the Gaumet reference would be motivated to combine the teachings of the Kato reference thereto for purposes of hypothetically modifying the module 1 to include a multiplicity of pins protruding from the insulating material 9 in any pattern or arrangement. Further, adequate rational is recited to combine the disclosures of Gaumet and Kato."

Applicant respectfully submits that this argument of the Examiner addresses only a portion of the Applicant's argument set forth above, in that it does not appear to consider the highlighted excerpt of such argument. In this respect, it has been and continues to be Applicant's position that one of ordinary skill in the art considering the Gaumet smart card reference would not be motivated to combine the teachings of the Kato pin grid array reference thereto for purposes of modifying the Gaumet module 1 to include, for example, first and second rows of leads in a semiconductor package as claimed by Applicant rather than a single row of lateral conductive elements 6 as shown and described in the Gaumet reference. Applicant respectfully submits this latter basis, in and of itself, compels a finding that independent Claims 1, 9 and 18 in their current form are in condition for allowance for the same reasons set forth with particularity in Applicant's prior October 11, 2005

Amendment. The remaining pending claims of the present application, i.e., Claims 3-8, 12-16, 19 and 20 are also believed to be in condition for allowance as being dependent upon respective allowable base claims.
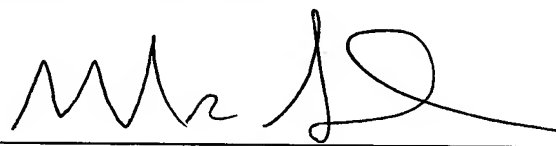
On the basis of the foregoing, Applicant respectfully submits that the stated grounds of rejection have been overcome, and that Claims 1, 3-8, 9, 12-16 and 18-20 are now in condition for allowance. Additionally, Applicant respectfully submits that the present response does not raise new issues which would require further searching on the part of the Examiner, and therefore respectfully requests that the same be considered and entered by the Examiner. An early Notice of Allowance is therefore respectfully requested.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 2/28/06   By: _____

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4